

**Vitt, L.J. & Caldwell, J.P.** 2014. *Herpetology. An introductory biology of amphibians and reptiles*. xiv, 757 pp. Elsevier, Amsterdam, etc.

Acknowledgement of receipt of this application was published in BZN 71: 146.

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Comments on this case are invited for publication (subject to editing) in the *Bulletin*; they should be sent to the I.C.Z.N., Natural History Museum, Cromwell Road, London SW7 5BD, U.K. (e-mail: [iczn@nhm.ac.uk](mailto:iczn@nhm.ac.uk)).

**Comment on *Siphonichnus* Stanistreet, le Blanc Smith & Cadle, 1980 (trace fossil): proposed conservation by granting precedence over the senior subjective synonym *Ophthalmichnium* Pfeiffer, 1968**

(Case 3662; see BZN 71: 147–152)

Mark J. Grygier

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Knaust (BZN 71: 147–152) convincingly demonstrates the desirability of conserving the ichnogenus *Siphonichnus*, which is threatened by its little-used senior subjective synonym, *Ophthalmichnium*. However, he only asks for the type species of the latter genus to be placed on the Official List of Specific Names in Zoology, not that of the former genus. Inasmuch as the nomenclatural problem at hand arises from the subjective synonymy of both type species, both are equally germane and both should be treated equally. A vote should, therefore, be taken on a revised version of paragraph 5(3) of this Case, in place of or in addition to the present version. The International Commission on Zoological Nomenclature is accordingly asked:

- (3) to place on the Official List of Specific Names in Zoology the following names:
- (a) *ecccaensis* Stanistreet, le Blanc Smith & Cadle, 1980, as published in the binomen *Siphonichnus ecccaensis*, the type species of *Siphonichnus* Stanistreet, le Blanc Smith & Cadle, 1980;
  - (b) *ophthalmoides* Jessen, 1950, as published in the binomen *Planolites ophthalmoides*, the type species of *Ophthalmichnium* Pfeiffer, 1968.

The Case is otherwise unclear in two respects. First, the implications of Jessen's suggestion of potential synonymy of his *Planolites ophthalmoides* with the senior name *Sabellarifex parvus* are not stated, certainly not in paragraph 5(2)(b) to which the reader is directed. Second, one sentence in paragraph 3 (viz., 'Consequently, . . . 1980.') is out of place, hindering the logical flow; it properly belongs ahead of the long sentence that now precedes it. If this is done, the following sentence, beginning '*Siphonichnus*', should be read as though it begins with 'In contrast,' or something similar.

**Comment on STENODERINI Selander, 1991 (Insecta, Coleoptera): proposed emendation of spelling to STENODERAINI to remove homonymy with STENODERINI Pascoe, 1867 (Insecta, Coleoptera); and STENODERINI Pascoe, 1867: proposed precedence over SYLLITINI Thomson, 1864**

(Case 3657; see BZN 71: 158–161 )

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Bousquet & Bouchard (BZN 71: 158–161) propose to remove the homonymy between two family-group taxa of beetles, both called STENODERINI, by emending one of their names. They are asking the Commissioner to alter STENODERINI Selander,

1991 to STENODERAINI, and also to allow STENODERINI Pascoe, 1867 to remain in use unchanged by granting it precedence over an unused senior synonym, SYLLITINI Thomson, 1864. There is another way of handling these matters, which might appeal to those Commissioners who favour adherence to the Principle of Priority under most circumstances. Such people might prefer to vote against the proposed reversal of precedence, but be dissuaded from doing so by the fact that this would result in the invalidity of STENODERINI; no valid beetle taxon with the original spelling would remain. Instead, STENODERINI Selander can be left as is, while STENODERINAE Pascoe treated here at the originally proposed rank of subfamily is emended to STENODERUSINAE, based on the full name of its type genus. For those who accept that *Syllitus* and *Stenoderus* are con-tribal genera, this emended name will vanish into the synonymy of SYLLITINI Thomson, which is accepted as valid on the basis of Priority. Since this Case only seems to concern a handful of species in three valid genera (no more than this are mentioned), none of which is stated to be of any significance in fields other than beetle taxonomy, adherence to Priority seems reasonable. Also, having two options to vote on will help the Commission to provide a clear answer concerning which names to use if the present authors' plenary-power proposal fails to be approved (Article 81.2.4 of the Code). A new set of proposals to this end is offered here for a vote by the Commission. In any case, the family name in original paragraph 9(4)(b) must be changed from SYLLITAE to SYLLITINI, as the 'correct original spelling' should be entered into the Official List.

The International Commission on Zoological Nomenclature is accordingly asked:

- (1) to use its plenary power to rule that for the purposes of Article 29 of the Code, the stem of the generic name *Stenoderus* Dejean, 1821 is *Stenoderus*-;
- (2) (unchanged);
- (3) (unchanged);
- (4) to place on the Official List of Family-Group Names in Zoology the following names:
  - (a) SYLLITINI (correction by Gressitt, 1959, of SYLLITAE) Thomson, 1864, type genus *Syllitus* Pascoe, 1859 (Insecta, Coleoptera, CERAMBYCIDAE);
  - (b) STENODERINI Selander, 1991, type genus *Stenodera* Eschscholtz, 1818 (Insecta, Coleoptera, MELOIDAE);
  - (c) STENODERUSINAE Pascoe, 1867, type genus *Stenoderus* Dejean, 1821 (Insecta, Coleoptera, CERAMBYCIDAE) (spelling emended by the ruling in (1) above);
- (5) to place on the Official Index of Rejected and Invalid Family-Group Names in Zoology the name STENODERINAE Pascoe, 1867 (spelling emended to STENODERUSINAE, as ruled in (1) above) (Insecta, Coleoptera, CERAMBYCIDAE).

**Comment on *Apion longirostre* Olivier, 1807 (currently *Rhopalapion longirostre*; Insecta, Coleoptera): proposed conservation of usage of the specific name**  
(Case 3661; see BZN 71: 162–165)

M.G. Morris

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I write to support the proposed conservation of the use of the name *Apion longirostre* Olivier, 1807. Although there is a remote possibility that syntypes of *Apion longirostre* Gravenhorst, 1807 exist, the identity of the taxon is currently unknown and considerable confusion would be caused were such syntypes discovered, a very unlikely event.

*Rhopalapion longirostre* (Olivier) is a species that is continuing to expand its already wide range and consequently the name is being increasingly quoted in faunistic works. For example, the species has recently been found in Britain (e.g. Jones, 2006; Miquel, 2011), references which may not have been included in the 100+ publications mentioned by Giusto (BZN 71: 162).

The case for conserving the current usage of the name *Apion longirostre* Olivier, 1807 seems to be particularly clear and uncontroversial.

**Additional references**

Jones, R.A. 2006. *Rhopalapion longirostre* (Olivier, 1807) (Apionidae) finally discovered in Britain. *The Coleopterist*, **15**: 93–96.

Miquel, M.E. 2011. *Rhopalapion longirostre* (Olivier) and other Apionidae found on hollyhocks in Cambridge (Cambridgeshire, VC 29). *The Coleopterist*, **20**: 73–75.

**Comment on the proposed confirmation of the availability of *Spracklandus* Hoser, 2009 (Reptilia, Squamata, ELAPIDAE)**  
(Case 3601; see BZN 70: 234–237)

George R. Zug

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Case 3601 requests the acceptance of the Australasian Journal of Herpetology, Volume 7, pages 1–15 as a valid nomenclatural publication, that is, meeting the requirements of Article 8 of the Code. This request also includes a less overt but more damaging goal and that is the validation of the entire run of the Australasian Journal of Herpetology (AJH).

Based on my reading and interpretation of the Code, the AJH does not constitute a published work, either for the purposes of zoological nomenclature or in the sense of a serial scientific publication. Its primary object appears to be the promulgation of R. Hoser's opinions and exhortations. Its tone and regular use of invectives resemble an internet blog, and match many other blogs that have the main purpose of denigrating the writer's opponents.

Specifically, AJH does not meet the criterion (Article 8.1.1.1) 'it must be issued for the purpose of providing a public and permanent scientific record.' Upon its inception, AJH was issued as a forum for the opinions of its author and editor. The editor, R. Hoser, did not view it as a scientific publication upon its inception and made no initial effort to meet the criteria of Articles 8.1.3 and 8.6. Efforts to meet those criteria were made subsequently and only when practicing taxonomists refused to accept the validity of the nomenclatural acts proposed in AJH.

**Comments on *Antilope arabica* Lichtenstein, 1827 (currently *Gazella arabica*; Mammalia, Ruminantia): proposed conservation of part of the lectotype designated by Neumann (1906)**

(Case 3660; see BZN 71: 88–94)

(1) Colin P. Groves

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I support the request that the status of the skull ZMB.MAM.2115 be set aside, retaining only the skin as the sole lectotype specimen of *Antilope arabica*.

Groves (1983, 1996) accepted that the skin and skull, both collected by Hemprich and Ehrenberg, belonged together and came from the Farasan Islands, thereby creating a chimera which fitted poorly into the taxonomic scheme of Arabian gazelles: the name *Gazella arabica* – the earliest available name for an Arabian gazelle – was reserved for the fictitious early 19th century Farasan gazelles, and the Arabian peninsula gazelle had to take the next available name, *Gazella cora*.

The discovery by Bärmann et al. (2013) from DNA analysis, and in the context of a thorough re-examination of the Hemprich/Ehrenberg collections, that the skin and the skull of *Antilope arabica* come from different individuals, very likely neither of them from the Farasan Islands, clarifies matters considerably. Bärmann et al. (2013) have found that the skin of MAM.2115 is indeed an Arabian peninsula gazelle, so we can now revert to the name *Gazella arabica* for that species; while the skull registered under the same number assort with a captive stock of gazelles resembling (but not identical with – see Groves, 1996) the Palestine Mountain gazelle, *Gazella gazella*. So we can now have sensible discussions about the taxonomy of Arabian gazelles, without worrying about the status of what has turned out to be an illusion.

**Additional reference**

Groves, C.P. 1996. Taxonomic diversity in Arabian gazelles: the state of the art. Pp. 8–39 in Greth, A., Magin, C. & Ancrenaz, M. (Eds.), *Conservation of Arabian Gazelles*, National Commission for Wildlife Conservation and Development, Riyadh.

(2) Reinhard Scharnhözl

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After having studied Case 3660 very intensively, I want to support the authors' view. Therefore I agree to point 12. of the article by Bärmann et al. As to the genus, this is a personal question; what will it definitely be, *Gazella* or *Nanger*?

Additional letters in support of this case were received from:

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**Comment on *Grallaria fenwickorum* Barrera & Bartels, 2010 (Aves, GRALLARIIDAE): proposed replacement of an indeterminate holotype by a neotype**

(Case 3623; see BZN 70: 99–102, 256–269; 71: 40–43)

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We refer here to comments of Claramunt et al. (BZN 71: 4043). We welcome their insights and alternative proposal of adding *fenwickorum* to the list of Official Index of Rejected and Invalid Names in Zoology, given the importance of all options being considered (ProAves, BZN 70: 256–269). However, their proposed approach is not appropriate because none of the grounds they cite result in the name *fenwickorum* Barrera & Bartels, 2010 being unavailable.

Claramunt et al. (2014) share some common authorship with Remsen et al.'s (2014) proceedings on this topic and present similar arguments to the latter authors in considering the name *Grallaria fenwickorum* Barrera & Bartels, 2010 to be unavailable.

It is worth citing Barrera et al.'s (2010) holotype designation, because this is misinterpreted by Claramunt et al. (2014):

‘The holotype is constituted solely by: a) Feather samples (total of 14 feathers from the wing, tail and body) deposited at the Museo de Historia Natural Jose Celestino Mutis, Facultad de Ciencias de la Universidad de Pamplona, tissue collection No.699 (Figure 1). b) For purposes of Article 73.1.4 of the Code, to the extent applicable, the individual depicted in Figure 1 and the Cover of this edition of *Conservación Colombiana*.

These materials are based on an adult, tape-recorded, captured and banded (with ProAves ring no. D001108), from which feather samples were taken, and plumage description was taken using Munsell (1977). These steps were taken in the field and the bird was photographed before being released alive on 11 January 2010 by LFB and LRG. The individual was captured within the Colibrí del Sol Bird Reserve, Vereda El Chuscal, Municipality of Urrao, Department of Antioquia (06°25'53.1'N 76°04'57.9'W). Elevation 3,130 meters asl. An extensive further series of photos of the individual on which the holotype is based can be downloaded at: <http://www.flickr.com/photos/proaves/sets/72157623898966966/>. Tape-recordings of

the individual on which the holotype is based can be downloaded at: <http://www.xenocanto.org/48114/>. Measurements of individual on which the holotype is based, taken in the field are set out in Table 1.

Claramunt et al. (2014) consider this two-part designation to be ‘ambiguous ... because it is not clear whether the holotype is the sample of feathers or the bird in the photograph’. The reasons for the wording formulation are set out in Gonzalez et al. (2011). Some commentators consider that descriptions in which the holotype is based on an individual in a photograph are invalid (Dubois & Nemesio, 2007; Nemesio, 2009; Claramunt et al., 2014). Others consider such designations to be valid (e.g. Wakeham-Dawson et al., 2002; Polaszek et al., 2005; Notton, 2010, the ICZN online Q&As). As set out in Gonzalez et al. (2011), part (b) ‘The form of wording used in the holotype designation section of the *fenwickorum* description only includes the photographed individual ‘to the extent’ that Article 73.1.4 applies. As a result, it works on both of these differing interpretations of the Code.’ The holotype designation also results in the feather samples being the holotype in all circumstances. Feather samples are clearly ‘part of’ an ‘animal’, within the meaning of the term ‘specimen’ in the Code’s glossary. Article 72.5 of the Code further states that ‘any part of an animal’ is eligible to be a type specimen (Gonzalez et al., 2011). The individual in the photographs is only included in the holotype if the interpretations of Dubois & Nemesio (2007), Claramunt et al. (2004) and others concerning breaches of Article 16.4 for description of this nature are incorrect because if this is the case then Article 73.1.4 cannot apply to make the illustrated individual the holotype as well.

Claramunt et al. (2014) also cite ‘ambiguity’ due to the holotype description referring to both the full bird and not the samples in some places. As noted in Gonzalez et al. (2011), the ‘description of the holotype’s plumage coloration applies equally to the bird studied as to the samples they took of tail, flight and other feathers labelled in their photograph of the samples. ... The authors went further than authors of previous similar descriptions in depicting each feather that was sampled and labelling the largest and most important of them as being taken from the primaries, secondaries (these, together being referred to as ‘flight feathers’ elsewhere), rectrix (tail feather) or breast. The holotype description section focuses more heavily on the morphology of the individual sampled rather than the feathers. This is understandable as the description ends up being more useful to people interested in what the new species looks like.’ It is the norm in ornithology to describe morphological features of a live bird in the holotype description. Claramunt et al.’s (2014) preferred re-description of the same species by Carantón & Certuche (2010, 2011) includes a discussion of colour of irides, the stomach contents (including coleopteran remains), a cloacal pretubercle, a brood patch, well-developed testes and subcutaneous fat, for which no evidence of preservation is presented. Some of the body parts giving rise to these features were presumably discarded and not preserved as the holotype but are described as the holotype.

A novel insight in Claramunt et al. (2014) is their discussion of the possibility that the series of photographs referred to in the description of *G. fenwickorum* may relate to two different individuals. Claramunt et al. (2014) concentrate on the photograph on the front cover of *Conservación Colombiana* 13, but the back cover (included in Barrera et al.’s (2010) ‘cover’) includes other photographs, including a juvenile bird in the hand (which is assumed not to be the holotype), a ringed bird in the field, a

photograph of the same individual as on the front cover and a colour photograph of the feather samples, together with habitat shots. A long series of online photographs (replicated in Gonzalez et al., 2011) were also referred to in the description. These depict the individual bird which was sampled during the course of its capture and study. According to Claramunt et al. (2014), Barrera et al. (2010) ‘simultaneously and intentionally designated two birds as ‘the holotype’’. This conclusion is contradicted by Barrera et al. (2010)’s designation of the illustrated ‘individual’ (singular) and the reference to the feather samples in Figure 1 and the (back) cover within part (b) also. The authors’ intention in part (b) to designate the individual that they sampled, which was definitively and beautifully illustrated in many photographs referred to in the description, is quite clear.

We do not comment on Claramunt et al.’s (2014)’ analysis of the photograph on the cover owing to a lack of consensus among persons referred to in the final paragraph over how to do so. Moreover, the point does not need to be addressed. Due at least to the photographs of the juvenile and various plant species in habitat shots on the back cover, we accept that more than one individual organism is illustrated on the cover of *Conservación Colombiana* 13. Neither this factor nor Claramunt et al.’s (2014)’ arguments, if correct, would make the name *fenwickorum* unavailable. Article 73.1.5 of the Code states that ‘If a subsequent author finds that a holotype which consists of a set of components . . . is not derived from an individual animal, the extraneous components may, by appropriate citation, be excluded from the holotype.’ In order to avoid any doubt on this issue, we hereby restrict the references in part (b) of Barrera et al.’s (2010)’ holotype designation to the individual animal whose feathers appear in Figure 1 and on the back cover of *Conservación Colombiana* 13, pursuant to Article 73.1.5 of the Code. This individual is definitively and unquestionably illustrated in detail in many photographs referred to in the description and reproduced in Gonzalez et al. (2011).

Finally, Claramunt et al. (2014) take the view that *fenwickorum* is unavailable due to the requirements of Article 16.4 not being fulfilled in connection with the release of the individual bird whose sampled feathers (at least) constitute the holotype. We refer to Article 73.1.4 of the Code, the relevant FAQ statement on the ICZN website and past publications of the Commission’s Secretariat on this topic (Wakeham-Dawson et al., 2002; Polaszek et al., 2005; Notton, 2010) all of which express disagreement with such interpretations of the Code. Moreover, these arguments cannot apply to part (a) of Barrera et al.’s (2010) holotype designation of feather samples.

In conclusion, we see nothing in Claramunt et al.’s (2014) discussion which affects the rationale for accepting Peterson’s proposals in Case 3623 (as amended).

These comments have been approved by ProAves’ Executive board (Junta directiva) and reviewed by its advisory council (Consejo), the American Bird Conservancy, the editors of *Conservación Colombiana* and the authors of Barrera et al. (2010).

### **Additional references**

- O’Neill, J.P. 2006. Museum expedition to Northern Peru. LSU Museum of Natural Science. *Museum Quarterly*, **November 2006**: 8–10.

**OPINION 2344 (Case 3590)*****Scarabaeus* Linnaeus, 1758, *Dynastes* MacLeay, 1819, SCARABAEINAE Latreille, 1802 and DYNASTINAE MacLeay, 1819 (Insecta, Coleoptera, SCARABAEOIDEA): usage conserved**

**Abstract.** The Commission has conserved under the plenary power the current usage of the widely used names *Scarabaeus* Linnaeus, 1758 for a dung rolling beetle genus, SCARABAEINAE Latreille, 1802 for the dung beetle subfamily, *Dynastes* MacLeay, 1819 for the Hercules beetle genus, and DYNASTINAE MacLeay, 1819, for the rhinoceros beetle subfamily by setting aside all types species fixations for *Scarabaeus* before Hope's (1837) designation of *Scarabaeus sacer* Linnaeus, 1758.

**Keywords.** Nomenclature; taxonomy; Coleoptera; SCARABAEIDAE; DYNASTINAE; *Scarabaeus*; *Dynastes*; *Dynastes hercules*; dung rolling beetles; Hercules beetles; rhinoceros beetles.

**Ruling**

- (1) Under the plenary power it is hereby ruled that all type species fixations for the nominal genus *Scarabaeus* Linnaeus, 1758 before that of *Scarabaeus sacer* Linnaeus, 1758 by Hope, 1837 are set aside.
- (2) The following names are hereby placed on the Official List of Generic Names in Zoology:
  - (a) *Scarabaeus* Linnaeus, 1758 (gender: masculine), type species *Scarabaeus sacer* Linnaeus, 1758, as ruled in (1) above;
  - (b) *Dynastes* MacLeay, 1819 (gender: masculine), type species *Scarabaeus hercules* Linnaeus, 1758 by subsequent designation by Kirby (1825).
- (3) The following names are hereby placed on the Official List of Specific Names in Zoology:
  - (a) *sacer* Linnaeus, 1758, as published in the binomen *Scarabaeus sacer* (specific name of the type species of *Scarabaeus* Linnaeus, 1758);
  - (b) *hercules* Linnaeus, 1758, as published in the binomen *Scarabaeus hercules* (specific name of the type species of *Dynastes* MacLeay, 1819).
- (4) The following names are hereby placed on the Official List of Family-Group Names in Zoology:
  - (a) SCARABAEIDAE Latreille, 1802, type genus *Scarabaeus* Linnaeus, 1758 (Insecta, Coleoptera);
  - (b) DYNASTIDAE MacLeay, 1819, type genus *Dynastes* MacLeay, 1819 (Insecta, Coleoptera).

**History of Case 3590**

An application to conserve the current usage of the widely used names *Scarabaeus* Linnaeus, 1758 for a dung rolling beetle, SCARABAEINAE Latreille, 1802 for the dung beetle subfamily, *Dynastes* MacLeay, 1819 for the Hercules beetle genus, and DYNASTINAE MacLeay, 1819, for the rhinoceros beetle subfamily was received from

Frank-Thorsten Krell (*Department of Zoology, Denver Museum of Nature & Science, Denver, CO, U.S.A.*), Tristão Branco (*Rua de Camões, 788, Porto, Portugal*) & Stefano Ziani (*Via S. Giovanni, 41/a, Meldola (FC), Italy*) on 10 December 2012. After correspondence the Case was published in BZN **69**: 182–190 (September 2012). The title, abstract and keywords of the Case were published on the Commission's website. Comments on this case were published in BZN **69**(4): 293–295; **70**(1): 46–48; **70**(3): 202–203. The Case was sent for vote on 1 March 2014.

### Decision of the Commission

At the close of the voting period on 1 June 2014 the votes were as follows:

Affirmative votes – 25: Alonso-Zarazaga, Ballerio, Bogutskaya, Bouchet, Brothers, Fautin, Grygier, Halliday, Harvey, Kojima, Kottelat, Krell, Kullander, Lamas, Lim, Ng, Pape, Patterson, Rosenberg, Štys, van Tol, Winston, Yanega, Zhang and Zhou.

Negative votes – none.

Pyle was on leave of absence.

Voting FOR, Alonso-Zarazaga said that the date for Jolyclerc's books was not later than 30 September 1806 and that this information had been communicated to the authors and to N. Evenhuis. Also voting FOR, Lamas said that since the family-group name for the Hercules beetles was first proposed by MacLeay (1819, p. 64) as DYNASTIDAE, this is the way in which it should be placed on the Official List of Family-Group Names in Zoology, not 'DYNASTINAE' as requested by the authors in para 12(4)(b) of their application.

### Original references

The following is the original reference to the names placed on Official Lists by the ruling given in the present Opinion:

*Dynastes* MacLeay, 1819, *Horae Entomologicae: or essays on annulose animals*, vol. 1, part 1. S. Bagster, London, p. 22.

*Scarabaeus* Linnaeus, 1758, *Systema Naturae*, Ed. 10, vol. 1. Salvii, Holmiae, pp. 342, 345.

*sacer*, *Scarabaeus*, Linnaeus, 1758, *Systema Naturae*, Ed. 10, vol. 1. Salvii, Holmiae, pp. 347.

*hercules*, *Scarabaeus*, Linnaeus, 1758, *Systema Naturae*, Ed. 10, vol. 1. Salvii, Holmiae, p. 345.

SCARABAEIDAE Latreille, 1802, *Histoire naturelle, générale et particulière des crustacés et des insectes. Tome troisième*. F. Dufart, Paris, p. 144.

DYNASTIDAE MacLeay, 1819, *Horae Entomologicae: or essays on annulose animals*, vol. 1, part 1. S. Bagster, London, p. 22.

The following is the reference to the type species designation:

**Hope, W.F.** 1837. The coleopterist's manual, containing the lamellicorn Insects of Linneus and Fabricius. Henry G. Bohn, London, p. 22.

**OPINION 2345 (Case 3579)*****Scarabaeus fimetarius* Linnaeus, 1758 (currently *Aphodius fimetarius*; Insecta, Coleoptera, SCARABAEIDAE): neotype designated**

**Abstract.** The Commission has conserved under the plenary power the current usage of the name *Aphodius fimetarius* (Linnaeus, 1758) for a Holarctic species of aphodiine dung beetle by setting aside all previous type fixations and designating a neotype.

**Keywords.** Nomenclature; taxonomy; SCARABAEIDAE; APHODIINAE; *Aphodius*; *Aphodius fimetarius*; *Aphodius pedellus*; *Aphodius foetens*; dung beetle; Recent; Holarctic.

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**Ruling**

- (1) Under the plenary power it is hereby ruled that all previous type fixations for the nominal species *fimetarius* Linnaeus, 1758, as published in the binomen *Scarabaeus fimetarius*, are set aside and the specimen with the unique identification label BMNH{E}UIN990028 at the Natural History Museum, London is designated as the neotype;
- (2) The name *fimetarius* Linnaeus, 1758, as published in the binomen *Scarabaeus fimetarius*, and as defined by the neotype designated in (1), is hereby placed on the Official List of Specific Names in Zoology.

**History of Case 3579**

An application to conserve the current usage of the name *Aphodius fimetarius* (Linnaeus, 1758) by setting aside all previous type fixations and designating a neotype was received from Robert B. Angus (*School of Biological Sciences, Royal Holloway, University of London, Egham & Natural History Museum, London, U.K.*), Christine J. Wilson (*School of Biological Sciences, Royal Holloway, University of London, Egham, U.K.* & Frank-Thorsten Krell (*Department of Zoology, Denver Museum of Nature & Science, Denver, CO, U.S.A.*) on 3 November 2011. After correspondence the Case was published in BZN 69: 29–36 (March 2012). The title, abstract and keywords of the Case were published on the Commission's website. Supportive and adverse comments were published in BZN 69: 128–140; 221–229; 284–293 and 70: 48–51. The Case was sent for vote on 5 June 2014 and included two sets of proposals (original proposals (Set A), and alternative proposals (Set B) published in one of the adverse comments).

**Set A (original) (BZN 69: 34)**

The International Commission on Zoological Nomenclature was accordingly asked:

- (1) to use its plenary power to set aside all previous type fixations for the nominal species *fimetarius* Linnaeus, 1758, as published in the binomen *Scarabaeus fimetarius*, and to designate the specimen with the unique identification label BMNH{E}UIN990028 at the Natural History Museum, London, as the neotype;

- (2) to place on the Official List of Specific Names in Zoology the name *fimetarius* Linnaeus, 1758, as published in the binomen *Scarabaeus fimetarius*, and as defined by the neotype designated in (1) above.

**Set B (alternative) (BZN 69: 134)**

The International Commission on Zoological Nomenclature was accordingly asked:

- (1) to use its plenary power to set aside all previous type fixations for the nominal species *fimetarius* Linnaeus, 1758, as published in the binomen *Scarabaeus fimetarius*, and to designate as neotype the specimen LIN 3386 in the Linnean Collection at Burlington House, London; the specimen is labelled ‘*Aphodius pedellus* (DeGeer), C.J. Wilson det. 2001’;
- (2) to use its plenary power to suppress the following names for the purposes of the Principle of Priority, but not for those of the Principle of Homonymy:
- (a) *subluteus* Mulsant, 1842, as published as *Aphodius fimetarius* var. *subluteus*;
- (b) *nodifrons* Randall, 1838, as published in the binomen *Aphodius nodifrons*;
- (3) to place on the Official List of Specific Names in Zoology the names:
- (a) *fimetarius* Linnaeus, 1758, as published in the binomen *Scarabaeus fimetarius*, and as defined by the neotype designated in (1) above;
- (b) *cardinalis* Reitter, 1892, as published in the binomen *Aphodius cardinalis*, and as defined by the neotype designated herein [BZN 69: 132];
- (4) to place on the Official Index of Rejected and Invalid Specific Names in Zoology the following names:
- (a) *subluteus* Mulsant, 1842, as published as *Aphodius fimetarius* var. *subluteus* and as suppressed in (2)(a) above;
- (b) *nodifrons* Randall, 1838, as published in the binomen *Aphodius nodifrons* and as suppressed in (2)(b) above.

**Decision of the Commission**

At the close of the voting period on 5 September 2014 the votes were as follows:

**Set A:**

Affirmative votes – 16: Ballerio, Bouchet, Fautin, Grygier, Halliday, Harvey, Kottelat, Krell, Lamas, Ng, Pape, Patterson, Rosenberg, van Tol, Yanega and Zhou.

Negative votes – 7: Alonso-Zarazaga, Bogutskaya, Brothers, Kojima, Kullander, Winston and Zhang.

Pyle and Štys were on leave of absence.

**Set B:**

Affirmative votes – 5: Alonso-Zarazaga, Bogutskaya, Brothers, Kullander and Zhang.

Negative votes – 17: Ballerio, Bouchet, Fautin, Grygier, Halliday, Harvey, Kojima, Kottelat, Krell, Lamas, Ng, Pape, Patterson, Rosenberg, van Tol, Winston and Yanega.

Abstained – 1: Zhou

Pyle and Štys were on leave of absence.

Voting FOR Set A, Grygier said that Miraldo et al.'s (2014) deposition in GenBank of a COI 'barcode' for Angus et al.'s proposed neotype of *Scarabaeus fimetarius* had been the deciding factor for him, as to which nominated specimen would better serve the purpose of name-bearing type. He also commented that such barcodes should be based on name-bearing types, not possibly misidentified vouchers, for absolute assurance of their permanent validity. He also pointed out that Branco had also nominated one of the Linnaeus's syntypes as name-bearing type in his Comment (BZN 69(3): 228–229), but not by reference to any specimen number: 'male on the same type of pin as the females'. Since the metadata for the photos on the Linnean Society's website do not include the sex of the specimens, it was not clear whether or not he was referring to specimen LIN 3386, nominated as neotype by Fery (BZN 69(2): 128–136). The sex of this latter specimen is also not stated on the website, nor in Fery's Comment, while the specimen nominated by Angus et al. was clearly stated to be a male, another point in their favour, he added. Also voting FOR, Bouchet said that he was impressed by the depth and breadth of the application and comments from both sides on this Case. The strength of the proposals set A is that the neotype is a specimen with a known karyotype, and thus more likely to carry its function of name-bearing type, he added. Voting AGAINST both sets, Kojima said that this application could be solved in accordance with the Code, without involvement of the Commission. The critical point would be whether Wilson's (2001) lectotype designation was valid or not according to the Code. Also voting AGAINST both sets, Winston said that new research results as well some of the arguments in the comments indicated that the cryptic species situation for this group in North America and Europe might be different. Making the changes suggested at this point would probably not hold for the future.

### Original references

The following is the original reference to the name placed on the Official List by the ruling given in the present Opinion:

*fimetarius*, *Scarabaeus*, Linnaeus, 1758, *Systema Naturae*, Ed. 10, vol. 1. Salvii, Holmiae, p. 348.

The following is the reference to the deposition in GenBank of a COI 'barcode' for Angus et al.'s proposed neotype of *Scarabaeus fimetarius*:

Miraldo, A., Krell, F.-T., Smalén, M., Angus, R.B. & Roslin, T. 2014. Making the cryptic visible – resolving the species complex of *Aphodius fimetarius* (Linnaeus, 1758) and *Aphodius pedellus* (de Geer, 1774) (Coleoptera: Aphodiidae) by three complementary methods. *Systematic Entomology*, 39: 531–547.

**OPINION 2346 (Case 3588)*****Brachystoma* Meigen, 1822 (Insecta, Diptera, BRACHYSTOMATIDAE):  
usage conserved**

**Abstract.** The Commission has conserved under the plenary power the current usage of the generic name *Brachystoma* Meigen, 1822 for a well-established genus of brachystomatid flies by setting aside all type fixations for *Brachystoma* Meigen, 1822 prior to that of *Syrphus vesiculosus* Fabricius, 1794 by Blanchard (1840).

**Keywords.** Nomenclature; taxonomy; Diptera; BRACHYSTOMATIDAE; *Brachystoma*; *Trichopeza*; *Syrphus vesiculosus*; *Brachystoma vesiculosum*; brachystomatid flies; worldwide.

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**Ruling**

- (1) Under the plenary power, all type species fixations for the nominal genus *Brachystoma* Meigen, 1822 before that of *Syrphus vesiculosus* Fabricius, 1794 by Blanchard (1840) are hereby set aside.
- (2) The name *Brachystoma* Meigen, 1822 (gender: neuter), type species *Syrphus vesiculosus* Fabricius, 1794 by subsequent designation of Blanchard (1840), as ruled in (1) above, is hereby placed on the Official List of Generic Names in Zoology.
- (3) The name *vesiculosus* Fabricius, 1794, as published in the binomen *Syrphus vesiculosus* (specific name of the type species of *Brachystoma* Meigen, 1822); is hereby placed on the Official List of Specific Names in Zoology.
- (4) The name BRACHYSTOMATIDAE Melander, 1908 (type genus *Brachystoma* Meigen, 1822) is hereby placed on the Official List of Family Names in Zoology.

**History of Case 3588**

An application to conserve the usage of the generic name *Brachystoma* Meigen, 1822 for a well-established genus of brachystomatid flies by setting aside all type fixations for *Brachystoma* Meigen, 1822 prior to that of *Syrphus vesiculosus* Fabricius, 1794 by Blanchard (1840) was received from Neal L. Evenhuis (*J. Linsley Gressitt Center for Entomological Research, Bishop Museum, Honolulu, Hawaii, U.S.A.*) and Bradley J. Sinclair (*Canadian National Collection of Insects & Canadian Food Inspection Agency, Ottawa Plant Laboratory-Entomology, Ottawa, ON, Canada*) on 11 April 2012. After correspondence the case was published in BZN 69: 113–115 (June 2012). The title, abstract and keywords of the case were published on the Commission's website. The Case was sent for vote on 1 March 2014. A majority of Commissioners voted FOR the Case (21 For, 4 Against). No comments were received on this Case.

**Decision of the Commission**

At the close of the voting period on 1 June 2014 the votes were as follows:

Affirmative votes – 21: Alonso-Zarazaga, Ballerio, Bogutskaya, Bouchet, Brothers, Halliday, Harvey, Kottelat, Krell, Kullander, Lamas, Ng, Pape, Patterson, Rosenberg, Štys, van Tol, Winston, Yanega, Zhang and Zhou.

Negative votes – 4: Fautin, Grygier, Kojima and Lim.

Pyle was on leave of absence.

Voting FOR, Alonso-Zarazaga requested that the gender of *Brachystoma* should be indicated as neuter in the final ruling, as this is one of the examples included in Article 30.1.2 of the Code. Also voting FOR, Rosenberg said that another consideration not mentioned in the application was that *Trichopeza* is the type genus of TRICHOPEZINAE. Without action by the Commission, BRACHYSTOMATINAE would become the correct name for TRICHOPEZINAE (currently placed in BRACHYSTOMATIDAE). Also voting FOR, Yanega explained that despite the relatively small number of taxa involved in this application, and their relative obscurity, the degree of disruption that would result if the application was rejected was significant because there was ‘collateral damage’, namely, another genus, long in use, would not only lose its name, but have it replaced by a name which had always referred to a completely different set of species. He also said that we would not have tolerated the replacement, for example, of ‘*Canis*’ by ‘*Felis*’, not simply because the taxa are widely-known, but because their usage has been consistent and stable for centuries. If it were simply a matter of a single name being replaced, he might not have supported such an application (depending on other details of the Case), but this particular Case (along with Cases 3589 and 3595) involved moving a long-established name from one taxon to an entirely different taxon, and that was disruptive enough to merit the use of the Commission’s powers regardless of how widely-known the taxa involved were.

Voting AGAINST, Grygier said that the generic assignment of fewer than a dozen species of *Brachystoma* and evidently nine species (a number not mentioned in the Case, but learned by the Commission afterwards from author Evenhuis) of *Trichopeza* is at stake. Although the authors did not mention it, the subfamily name BRACHYSTOMATINAE Melander, 1908 would move along with its type genus, putting TRICHOPEZINAE Vaillant, 1981 in jeopardy. The valid subfamily name for the former BRACHYSTOMATINAE, including *Blepharoprocta*, was not clear from the Case. The significance of any of these species or genera or subfamilies outside of taxonomy is not addressed. Under these circumstances, the discovery of an overlooked type species designation seems a minor annoyance, not justifying employment of the plenary power. Also, BRACHYSTOMATIDAE was not the subject of any substantive ruling in this Case, and is not threatened whatever the outcome; it is therefore unclear, under the specifications provided in Article 78.4.2, why it should be entered in the Official List. Also voting AGAINST, Kojima said that considering that the present proposal was more or less taxonomic rather than simply nomenclatural, the following taxonomic background should have been clearly mentioned to justify the proposal: (1) how widely the assignment of *longicornis* Meigen, 1822 to *Trichopeza* Rondani, 1856 is accepted; and (2) the reason why *Trichopeza* Rondani, 1856 should be treated as a valid genus, but not as a junior subjective synonym of *Brachystoma* Meigen, 1822. Also, the proposal should have clearly mentioned the nomenclatural instability that would result from synonymizing *Trichopeza* Rondani, 1856 under *Brachystoma* Meigen, 1822.

**Original references**

The following are the original references to the names placed on Official Lists and Indexes by the ruling given in the present Opinion:

*Brachystoma* Meigen, 1822, Systematische Beschreibung der bekannten europäischen zwei-flügeligen Insekten. Dritter Theil. Schultz-Wundermann, Hamm, p. 12.

*vesiculosus*, *Syrphus*, Fabricius, 1794, *Entomologia Systematica*, vol. 4. C.G. Proft, Hafniae, p. 299.

BRACHYSTOMATIDAE Melander, 1908, Family Empididae, in Williston, S.W. *Manual of North American Diptera*. Third Edition. J.T. Hathaway, New Haven, p. 222.

The following is the original reference for the type species designation cited in this ruling:

**Blanchard, C.E.** 1840. Vol. III. Histoire naturelle des insectes. Orthoptères, névroptères, hémiptères, hyménoptères, lépidoptères et diptères. In Laporte, F.L.N. de C., *Histoire naturelle des animaux articulés. Annelides, crustacés, arachnides, myriapodes et insectes*. Duméril, Paris. [26 December], p. 582.

**OPINION 2347 (Case 3589)*****Hemerodromia* Meigen, 1822 and HEMERODROMIINAE Schiner, 1862 (Insecta, Diptera, EMPIDIDAE): genus-group and family-group names conserved**

**Abstract.** The Commission has conserved under the plenary power the current usage of the generic name *Hemerodromia* Meigen, 1822, for a well-established genus of empidid flies by setting aside all type species fixations for *Hemerodromia* Meigen, 1822 prior to that of *Tachydromia oratoria* Fallén, 1815 by Rondani (1856).

**Keywords.** Nomenclature; taxonomy; Diptera; EMPIDIDAE; HEMERODROMIINAE; *Hemerodromia*; *Tachydromia oratoria*; *Chelifera*; empidid flies; worldwide.

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**Ruling**

- (1) Under the plenary power it is hereby ruled that all type species fixations for the nominal genus *Hemerodromia* Meigen, 1822 before that of *Tachydromia oratoria* Fallén, 1815 by Rondani (1856) are set aside.
- (2) The name *Hemerodromia* Meigen, 1822 (gender: feminine), type species *Tachydromia oratoria* Fallén, 1815 by subsequent designation by Rondani (1856) is hereby placed on the Official List of Generic Names in Zoology.
- (3) The name *oratoria* Fallén, 1815, as published in the binomen *Tachydromia oratoria* (specific name of the type species of *Hemerodromia* Meigen, 1822), is hereby placed on the Official List of Specific Names in Zoology.

**History of Case 3589**

An application to conserve the current usage of the widely used generic name *Hemerodromia* Meigen, 1822, for a well-established genus of empidid flies was received from Neal L. Evenhuis *J. Linsley Gressitt Center for Entomological Research, Bishop Museum, Honolulu, Hawaii, U.S.A.* and Adrian R. Plant *Department of Biodiversity & Systematic Biology, National Museum of Wales, Cathays Park, Cardiff CF10 3NP, U.K.* on 12 April 2012. After correspondence the Case was published in BZN 69: 191–194 (September 2012). The title, abstract and keywords of the Case were published on the Commission's website. A comment in support was published in BZN 69(4): 295. The Case was sent for vote on 1 March 2014.

**Decision of the Commission**

At the close of the voting period on 1 June 2014 the votes were as follows:

Affirmative votes – 23: Alonso-Zarazaga, Ballerio, Bogutskaya, Bouchet, Brothers, Fautin, Grygier, Halliday, Harvey, Kottelat, Krell, Kullander, Lamas, Ng, Pape, Patterson, Rosenberg, Štys, van Tol, Winston, Yanega, Zhang and Zhou.

Negative votes – 2: Kojima and Lim.

Pyle was on leave of absence.

Voting AGAINST, Kojima said that considering that the present proposal is more or less taxonomic rather than simply nomenclatural, the taxonomic background should

have been clearly mentioned to justify the proposal, for example the extent of instability caused by *Chelifera* having fallen in synonymy with *Hemerodromia*.

### Original references

The following are the original references to the names placed on the Official Lists by the ruling given in the present Opinion:

*Hemerodromia* Meigen, 1822, *Systematische Beschreibung der bekannten europäischen zweiflügeligen Insekten. Dritter Theil.* x, Schultz-Wundermann, Hamm, p. 61.  
*oratoria*, *Tachydromia*, Fallén, 1815, *Empidiae Sveciae. Quarum descriptionem Venia Ampl. Facult. Philos. Lund. In Lyceo Carolino d. XVII Junii MDCCCXV*, Berlingianis, Lundae p. 11.

The following is the reference to the type species designation in this ruling:

**Rondani, C.** 1856. *Dipterologiae Italicae prodromus. Vol: I. Genera Italica ordinis dipterorum ordinatim disposita et distincta et in familias et stirpes aggregata.* A. Stocchi, Parmae, p. 148.

**OPINION 2348 (Case 3591)*****Argyra* Macquart, 1834 (Insecta, Diptera, DOLICHOPODIDAE): the name conserved**

**Abstract.** The Commission has conserved under the plenary power the generic name *Argyra* Macquart, 1834 (Diptera, DOLICHOPODIDAE) for a widely distributed and well-established genus of dolichopodid flies by suppressing *Porphyrops* Meigen, 1824.

**Keywords.** Nomenclature; taxonomy; Diptera; DOLICHOPODIDAE; *Argyra*; *Porphyrops*; *Musca diaphana*; long-legged flies; cosmopolitan.

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**Ruling**

- (1) Under the plenary power it is hereby ruled that the generic name *Porphyrops* Meigen, 1824 is suppressed for the purposes of the Principle of Priority but not for those of the Principle of Homonymy.
- (2) The name *Argyra* Macquart, 1834 (gender: feminine), type species *Musca diaphana* Fabricius, 1775 by subsequent designation by Westwood (1840) is hereby placed on the Official List of Generic Names in Zoology.
- (3) The name *diaphana* Fabricius, 1775 as published in the binomen *Musca diaphana* (specific name of the type species of *Argyra* Macquart, 1834) is hereby placed on the Official List of Specific Names in Zoology.
- (4) The name ARGYRINI Negrobov, 1986, type genus *Argyra* Macquart, 1834 is hereby placed on the Official List of Family-Group Names in Zoology.
- (5) The name *Porphyrops* Meigen, 1824 (gender: masculine), type species *Musca diaphana* Fabricius, 1775 by subsequent designation by Curtis (1835) is hereby placed on the Official Index of Rejected and Invalid Generic Names in Zoology.

**History of Case 3591**

An application to conserve the generic name *Argyra* Macquart, 1834 (Diptera, DOLICHOPODIDAE) for a widely distributed and well-established genus of dolichopodid flies was received from Neal L. Evenhuis (*J. Linsley Gressitt Center for Entomological Research, Bishop Museum, Honolulu, Hawaii, U.S.A.*), Daniel J. Bickel (*The Australian Museum, Sydney, NSW, Australia*) & Harold Robinson (*Department of Botany, Smithsonian Institution, Washington, DC, U.S.A.*) on 17 March 2012. After correspondence the Case was published in BZN 69: 195–199 (September 2012). The title, abstract and keywords of the Case were published on the Commission's website. No comments were received on this Case. The Case was sent for vote on 1 March 2014.

**Decision of the Commission**

At the close of the voting period on 1 June 2014 the votes were as follows:

Affirmative votes – 21: Alonso-Zarazaga, Ballerio, Brothers, Fautin, Halliday, Harvey, Kojima, Kottelat, Krell, Kullander, Lamas, Ng, Pape, Patterson, Rosenberg, Štys, van Tol, Winston, Yanega, Zhang and Zhou.

Negative votes – 3: Bouchet, Bogutskaya and Lim.

Split vote – 1: Grygier (FOR (1), (2), (3), (5), AGAINST (4)).

Pyle was on leave of absence.

Voting AGAINST, Bouchet said that the precedence of *Porphyrops* over *Argyra* had apparently been recognized for several decades, but authors deliberately chose to ignore it. He added that the genus apparently did not include species of commercial importance or biological models, and he voted in favour of strict priority. SPLITTING his vote, Grygier said that the family-level name ARGYRINI was not the subject of any ruling in this Case; it was therefore unclear, under the specifications provided in Article 78.4.2, why it should be entered in the Official List.

### Original references

The following are the original references to the names placed on the Official Lists and Indexes by the ruling given in the present Opinion:

*Argyra* Macquart, 1834, *Histoire naturelle des insectes. Diptères. Ouvrage accompagné de planches*. Tome première. N.E. Roret, Paris, p. 456.

ARGYRINI Negrobov, 1986, On the system and phylogeny of flies of the family Dolichopodidae (Diptera). *Entomologicheskoe Obozrenie*, **65**: 184.

*diaphana*, *Musca*, Fabricius, 1775, *Systema entomologiae, sistens insectorum classes, ordines, genera, species, adjectis synonymis, locis, descriptionibus, observationibus*, Officina Libraria Kortii, Flensburgi & Lipsiae, p. 783.

*Porphyrops* Meigen, 1824, *Systematische Beschreibung der bekannten europäischen zweiflügeligen Insekten. Vierter Theil*. Schultz-Wundermann, Hamm, p. 45.

**OPINION 2349 (Case 3595)*****Ocydromia* Meigen, 1820 (Insecta, Diptera, HYBOTIDAE): usage conserved**

**Abstract.** The Commission has conserved under the plenary power the current usage of the generic name *Ocydromia* Meigen, 1820 for a well-established genus of hybotid flies by setting aside all type species fixations for *Ocydromia* Meigen, 1820 prior to that of *Empis glabricula* Fallén, 1816 by Westwood (1840).

**Keywords.** Nomenclature; taxonomy; Diptera; HYBOTIDAE; OCYDROMIINAE; *Ocydromia*; *Empis glabricula*; *Ocydromia ruficollis*; *Leptopeza*; hybotid flies; cosmopolitan.

**Ruling**

- (1) Under the plenary power it is hereby ruled that all type species fixations for the nominal genus *Ocydromia* Meigen, 1820 before that of *Empis glabricula* Fallén, 1816 by Westwood (1840) are set aside.
- (2) The name *Ocydromia* Meigen, 1820 (gender: feminine), type species *Empis glabricula* Fallén, 1816 by subsequent designation by Westwood (1840) as ruled in (1) above is hereby placed on the Official List of Generic Names in Zoology.
- (3) The name *glabricula* Fallén, 1816 as published in the binomen *Empis glabricula* (specific name of the type species of *Ocydromia* Meigen, 1820) is hereby placed on the Official List of Specific Names in Zoology.
- (4) The name OCYDROMIINAE Schiner, 1862 (type genus: *Ocydromia* Meigen, 1820) is hereby placed on the Official List of Family-Group Names in Zoology.

**History of Case 3595**

An application to conserve the current usage of the generic name *Ocydromia* Meigen, 1820 was received from Neal L. Evenhuis (*J. Linsley Gressitt Center for Entomological Research, Bishop Museum, Honolulu, Hawaii, U.S.A.*) & Bradley J. Sinclair (*Canadian National Collection of Insects & Canadian Food Inspection Agency, Ottawa Plant Laboratory Entomology, Ottawa, ON, Canada*) on 11 May 2012. After correspondence the Case was published in BZN 69: 200–202 (September 2012). The title, abstract and keywords of the Case were published on the Commission's website. No comments were received on this Case. The Case was sent for vote on 1 March 2014.

**Decision of the Commission**

At the close of the voting period on 1 June 2014 the votes were as follows:

Affirmative votes – 21: Alonso-Zarazaga, Ballerio, Bouchet, Brothers, Fautin, Halliday, Harvey, Kottelat, Krell, Kullander, Lamas, Ng, Pape, Patterson, Rosenberg, Štys, van Tol, Winston, Yanega, Zhang and Zhou.

Negative votes – 4: Bogutskaya, Grygier, Kojima and Lim.

Pyle was on leave of absence.

Voting AGAINST, Grygier said that the generic assignment of eight species of *Ocydromia* and about 20 species (a number not mentioned in the Case, but learned by the Commission from author Evenhuis afterwards) of *Leptopeza* is at stake. The significance of any of these species or genera outside of taxonomy was not addressed in the Case, and under these circumstances, the discovery of an overlooked type species designation seemed to him a minor annoyance, not justifying employment of the plenary power. Also, OCYDROMIINAE was not the subject of any substantive ruling in this Case, and it does not seem to be in jeopardy whatever the outcome of the genus-level question; it is therefore unclear, under the specifications provided in Article 78.4.2, why it should be entered in the Official List. Also voting AGAINST, Kojima said that considering that the present proposal is more or less taxonomic rather than simply nomenclatural, the following taxonomic background should have been clearly mentioned to justify the proposal: (1) how widely the assignment of *ruficollis* Meigen, 1820 to *Leptopeza* Macquart, 1834 has been accepted; and (2) the reason why *Leptopeza* Macquart, 1834 should be treated as a valid genus, and not as a junior subjective synonym of *Ocydromia* Meigen, 1820. Also, the proposal should clearly mention the nomenclatural instability that would result from synonymizing *Leptopeza* Macquart, 1834 under *Ocydromia* Meigen, 1820.

### Original references

The following are the original references to the names placed on the Official Lists by the ruling given in the present Opinion:

- Ocydromia* Meigen, 1820, *Systematische Beschreibung der bekannten europäischen zweiflügeligen Insekten. Zweiter Theil.* xxxvi, F.W. Forstmann, Aachen, p. 351.
- glabricula*, *Empis*, Fallén, 1816, *Empidiae Sveciae. Quarum descriptionem continuatam Venia Ampl. Facult. Philos. Lund. In Lyceo Carolino d. XIV Febr. MDCCCXVI.* Berlingianis, Lundae, p. 33.
- OCYDROMIINAE Schiner, 1862, *Fauna Austriaca. Die Fliegen. (Diptera). Erster Theil.* [Heft 8]. C. Gerold's Sohn, Wien, p. lii.

The following is the reference to the type species designation cited in this ruling:

- Westwood, J.O.** 1840. Order XIII. Diptera Aristotle. (Antliata Fabricius. Halteriptera Clairv.) *in: An introduction to the modern classification of insects; founded on the natural habits and corresponding organisation of the different families. Synopsis of the genera of British insects.* 158 pp. Longman, Orme, Brown, Green & Longmans, London, p. 133.